IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 28468 of 2004(L)

PETITIONER:

THE CO-OPERATIVE SUGARS LTD.,
CHITTOOR (C.NO.4322), MENONPARA,
CHITTOOR, PALAKKAD, REPRESENTED BY ITS
MANAGING DIRECTOR.

BY ADV. SRI.K.ANAND,
SMT.LATHA KRISHNAN.

RESPONDENTS:
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1. **THE ASSISTANT PROVIDENT FUND COMMISSIONER, EMPLOYEES PROVIDENT FUND ORGANISATION, SUB REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN, P.B.NO.1806, ERANHIPALAM P.O., KOZHIKODE-673 006.**

2. **RECOVERY OFFICER, EMPLOYEES PROVIDENT FUND ORGANISATION, SUB REGIONAL OFFICE BHAVISHYANIDHI BHAVAN, P.B.NO.1806, ERANHIPALAM P.O., KOZHIKODE-673 006.**

3. **STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF INDUSTRIES, SECRETARIAT, THIRUVANANTHAPURAM.**

BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL,SC, P.F.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.28468/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER OF THE R.1. DTD. 10/02/2003.

EXT.P.2: COPY OF THE ATTACHMENT ORDER OF THE R.2. WITH ATTACHMENT MAHAZAR DTD. 21/03/2003.

EXT.P.3: COPY OF THE ORDER OF THE R.1. DTD. 01/04/2004.

EXT.P.4: COPY OF THE LETTER OF THE PRINCIPAL SECRETARY TO THE GOVERNMENT DTD. 07/05/2004 TO THE ASSISTANT PROVIDENT FUND COMMISSIONER (ENFORCEMENT) OF THE R.1.

EXT.P.5; COPY OF THE NOTICE OF DEMAND ISSUED BY THE R.2. DTD. 13/05/2004.

EXT.P.6: COPY OF THE LETTER OF THE R.1. ORGANISATION DTD. 01/07/2004.

EXT.P.7: COPY OF THE LETTER SENT BY THE PETITIONER ON 21/07/2004.

EXT.P.8: COPY OF THE LETTER OF THE R.2. DTD. 21/02/2004.

EXT.P.9: COPY OF THE ORDER OF THE R.1. DTD. 05/08/2004.

EXT.P.10: COPY OF THE FAX MESSAGE DTD. 19/08/2004 RECEIVED FROM THE GOVERNMENT.

RESPONDENT'S EXHIBITS:

EXT.R1.A: COPY OF THE FORM 12-A SUBMITTED BY THE PETITIONER.

EXT.R1.B: COPY OF THE FORM 12-A SUBMITTED BY THE PETITIONER.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P. (C). NO. 28468 OF 2004

Dated this the 30th day of July, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the recovery steps initiated at the instance of the first respondent.

2. It is submitted that the establishment is defunct. Be that as it may. Learned counsel for the first respondent submits that substantial amounts have been paid during the pendency of the writ petition.

This writ petition is hence disposed of making it clear that in case the petitioner has still any grievance left, it will be open to the petitioner to approach the first respondent/competent authority.

KURIAN JOSEPH, JUDGE.

smp